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Karen LePari

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Lynn E. SPITLER and Isaiah FIDLER

Serial No.: Continuation of 09/226,075

Filing Date: even date herewith

For: THERAPEUTIC PROPERTIES OF
LIPOSOME-ENCAPSULATED
IMMUNOMODULATORS

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to examination of the above-referenced application, please amend the specification as follows:

On page 1 of the specification, under the title, please insert:

--This application is a continuation of U.S. Serial No. 09/226,075 filed 6 January 1999 and now abandoned.--

On page 3, please delete lines 8-10 and on line 11, please delete "C3AL-kanesulfonic acid. (Figure 2)"; and

please substitute the following:

--The present invention is drawn to the use of compositions comprising lipopeptides represented by the general formulas shown in Figure 1 and Figure 2. --

Prior to examination of the above-referenced application, please amend the claims as follows:

Please cancel claims 1-53 and substitute the following claims:

54. A method to treat neoplasia which method comprises administering to a subject in need of such treatment a therapeutically effective amount of a pharmaceutical composition containing MTP-PE or JBT 3002 encapsulated in multilamellar liposomes.

55. The method of claim 54 wherein said pharmaceutical composition further comprises a different anti-neoplasia agent.

56. A method to ameliorate myelosuppression, mucositis or peripheral neuropathy in a subject, which subject has been treated with a neoplastic agent, which method comprises administering to said subject a pharmaceutical composition comprising MTP-PE or JBT 3002 encapsulated in multilamellar liposomes.

57. A method to upregulate IL-15 production in a subject which method comprises administering to a subject in need of such upregulation an effective amount of a pharmaceutical composition which comprises MTP-PE or JBT 3002 encapsulated in multilamellar liposomes.

REMARKS

The present application is a continuation of U.S. Serial No. 09/226,075 which is being abandoned. The amendment to the specification is to correct an obvious typographical error. The claims have been amended to focus on methods of treatment. The present claims are

supported by the claims originally filed as well as by the entire application. No new matter has been added and entry of the amendment is respectfully requested.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 204372000901. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: January 17, 2001

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